

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

vs.

MICRON TECHNOLOGY, INC.;
MICRON SEMICONDUCTOR
PRODUCTS, INC.; MICRON
TECHNOLOGY TEXAS LLC,

Defendants.

Case No. 2:22-cv-294-JRG

JURY TRIAL DEMANDED

**JOINT MOTION TO ENTER STIPULATED ORDER ON EXECUTION OF
JUDGMENT AGAINST DEFENDANTS**

Plaintiff Netlist, Inc. (“Netlist”) and Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (“Micron”) have agreed and jointly move the Court to enter an order as follows:

- A. The Court has entered final judgment that Netlist is the prevailing party in this matter.
- B. Micron will not be required to post bond or other security pending: (i) the outcome of Micron’s motions for judgment of matter of law and for a new trial and (ii) appeal. Netlist has agreed to accept the verification of Exhibit A to this Stipulated Order as sufficient evidence of Micron’s present ability to satisfy the Final Judgment in this matter entered on July 11, 2024 (“Judgment in this matter” or “Judgment”).
- C. Micron further agrees (i) to provide updated verifications, in the form of Exhibit B hereto, to Netlist on a quarterly basis, confirming Micron’s continuing ability to satisfy the

Judgment in this matter and (ii) to report to Netlist, in the form of Exhibit C hereto, within seven days of Micron's determination that its ability to satisfy the Judgment in this matter is compromised.

D. In reliance on the certification of Exhibit A and Micron's obligations in paragraph C immediately above, Netlist agrees that it will not execute before 30 days after the Judgment becomes final, unappealable, and no longer subject to review in the Supreme Court of the United States by petition for writ of certiorari.

E. Any party may move the Court for modification, failing agreement between the parties on such modification, under any circumstances which that party deems sufficient to justify modification.

Dated: August 9, 2024

Respectfully submitted,

/s/ Andrew Strabone

Samuel F. Baxter
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
Jennifer L. Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com
MCKOOL SMITH, P.C.
104 East Houston Street Suite 300
Marshall, TX 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

Jason G. Sheasby (*pro hac vice*)
jsheasby@irell.com
Annita Zhong, Ph.D. (*pro hac vice*)
hzhong@irell.com
Andrew J. Strabone (*pro hac vice*)
astrabone@irell.com
Yanan Zhao (*pro hac vice*)
yzhao@irell.com
Michael W. Tezyan (*pro hac vice*)
mtezyan@irell.com

IRELL & MANELLA LLP

1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Tel. (310) 277-1010
Fax (310) 203-7199

Attorneys for Plaintiff Netlist, Inc.

/s/ Wesley Hill

Thomas M. Melsheimer
State Bar No. 13922550
TMelsheimer@winston.com

Natalie Arbaugh
State Bar No. 24033378
NArbaugh@winston.com

Rex Mann
State Bar No. 24075509
RMann@winston.com

Trace L. Rice (pro hac vice)
WINSTON & STRAWN LLP
2121 N. Pearl Street, Suite 900
Dallas, TX 75201
Telephone: (214) 453 6500
Facsimile: (214) 453 6400

David P. Enzminger (pro hac vice)
denzminger@winston.com
WINSTON & STRAWN LLP
333 South Grand Avenue, 38th Floor
Los Angeles, CA 90071-1543
Telephone: (213) 615-1700
Facsimile: (213) 615-1750

Michael R. Rueckheim
State Bar No. 24081129
MRueckheim@winston.com
Ryuk Park (pro hac vice)
RPark@winston.com
Matthew R. McCullough
MRMcCullough@winston.com
WINSTON & STRAWN LLP
255 Shoreline Drive, Suite 520
Redwood City, CA 94065
Telephone: (650) 858 6500
Facsimile: (650) 858 6559

Aldo A. Badini
abadini@winston.com
WINSTON & STRAWN LLP
200 Park Ave., Floor Ave., Flr. 43
New York, NY 10166-4193
Telephone: (212) 294-4601
Facsimile: (212) 294-4700

Brian J. Nisbet
Maureen L. Rurka
bnisbet@winston.com
mrurka@winston.com
WINSTON & STRAWN LLP
5 West Wacker Drive, Ste. 4200
Chicago, IL 60601
Telephone: (312) 558-5600
Facsimile: (312) 5585700

Matthew Hopkins (pro hac vice)
State Bar No. 1500598
mhopkins@winston.com
WINSTON & STRAWN LLP
1901 L Street, N.W.
Washington, D.C. 20036
Telephone: (202) 282 5000
Facsimile: (202) 282 5100

William M. Logan
State Bar No. 24106214
wlogan@winston.com
Juan C. Yaquian (pro hac vice)
State Bar No. 24110559
JYaquian@winston.com
WINSTON & STRAWN LLP
800 Capital Street, Suite 2400
Houston, TX 77002
Telephone: (713) 651 2600
Facsimile: (713) 651 2700

Wesley Hill
State Bar No. 24032294
wh@wsfirm.com
Andrea Fair
State Bar No. 24078488
andrea@wsfirm.com

Charles Everingham IV
State Bar No. 00787447
ce@wsfirm.com
WARD, SMITH & HILL, PLLC
1507 Bill Owens Parkway
Longview, TX 75604
Telephone: (903) 757-6400
Facsimile: (903) 757-2323

**ATTORNEYS FOR DEFENDANTS
MICRON TECHNOLOGY, INC.,
MICRON SEMICONDUCTOR PRODUCTS,
INC., MICRON TECHNOLOGY TEXAS,
LLC**

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2024, the foregoing document was electronically filed with the Clerk of Court using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Wesley Hill

CERTIFICATE OF CONFERENCE

The parties have conferred and jointly seek the relief requested herein.

/s/ Wesley Hill